BOMBAY ACT No. XV OF 1936.[1]

[THE INDIAN LUNACY, BOMBAY DISTRICT MUNICIPAL AND BOMBAY MUNICIPAL BOROUGHS (AMENDMENT) ACT, 1936.]

[*27th November 1936.*]

An Act to amend the Indian Lunacy Act, 1912, in its application to the Presidency of Bombay, the Bombay District Municipal Act, 1901, and the Bombay Municipal Boroughs Act, 1925.

IV of 1912. Bom. III of 1901. Bom. XVIII of 1925. 5 & 6 Geo. V, c. 61.

WHEREAS it is expedient to amend the Indian Lunacy Act, 1912, in its application to the Presidency of Bombay, the Bombay District Municipal Act, 1901, and the Bombay Municipal Boroughs Act, 1925, for the purposes hereinafter appearing; And whereas the previous sanction of the Governor General required by sub-section (*3*) of section 80A of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Indian Lunacy, Bombay District Municipal and Bombay Municipal Boroughs (Amendment) Act, 1936.

IV of 1912.

2. In the Indian Lunacy Act, 1912—

Amendment of section 88 of Act IV of 1912.

(*1*) In section 88—

(*i*) after the words "has the means to maintain him", the words "or if any local authority is liable for the cost of maintenance of such lunatic under any law for the time being in force" shall be inserted;

(*ii*) the words "or any local authority liable for the cost of maintenance of such lunatic under any law for the time being in force" shall be deleted;

(*iii*) after the word "resides", the words "or the local authority liable for the cost of his maintenance is constituted" shall be inserted;

(*iv*) at the end of the marginal note, the following words shall be added, namely:—

"or by local authority liable for such costs".

Amendment of section 89 of Act IV of 1912.

(*2*) In section 89—

(*i*) in sub-section (*1*)—

(*a*) after the words "such lunatic" where they occur for the second time, the words "or that any local authority is liable for the cost of maintenance of such lunatic under any law for the time being in force" shall be inserted;

(*b*) after the words "such person", the words "or from such local authority" shall be added;

(*c*) at the end, the following proviso shall be added, namely:—

"Provided that no order for the recovery of the cost of maintenance of such lunatic from a local authority shall be made if he has an estate applicable to his maintenance or if there is any person legally bound, and having the means, to maintain him."

(*ii*) in sub-section (*2*), after the word "person", the words "or the local authority" shall be inserted.

3-4. [*The amendments made by sections 3 and 4 of this Act have been incorporated in the Bombay District Municipal Act, 1901 and the Bombay Municipal Boroughs Act, 1925, respectively.*]

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1936, Part V, p. 164 and for Proceedings in Council, *see* Bombay Legislative Council Debates, 1936, Vol. XLV.

MO-III Bk H 957—38*a*